IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.8298 of 1996

Between:

1 Basam China Mala Kondaiah, S/o. Peda Narasimham,
Mogilicherla Village, Lingasamudram Mandal.
Prakasam District.
2 Oleti Malayadri, S/o. Venkata Naraish,
Oletivaripalem Mandal, Village, Prakasam District.
3 Oleti Singaiah, S/o. Pees Subbaiah,
Oletivaripalem Mandal, Village, Prakasam District.
4 Katta Hanumantha Rao, S/o. Seshaiah,
Oletivaripalem Mandal, Village, Prakasam District.
5 Oleti Vankateswarlu, S/o. Venkata Naraiah,
Oletivaripalem Mandal, Village, Prakasam District.
6 Kolla Kondaiah, S/o. Singaiah,
Cherukuru Post, Konaluru Mandal.
Prakasam District.
7 Oleti Adilakshamma, W/o. Nageswara Rao,
Oletivaripalem. Prakasam District.
8 Anumolu Malayadri, S/o. Kondaiah,
Cherukuru Post, Konaluru Mandal.
Prakasam District.
9 Kasireddy Anjaiah, S/o. Peda Nagi Reddy,
Ammapalem Post, Oletivalipalem Mandal.
Prakasam District.
10 Chennaboina Obula Kondaiah, S/o. Obaiah,
Ammapalem Post, Oletivalipalem Mandal.
Prakasam District.
11 Kesam Reddy Butchi Reddy, S/o. Chenna Reddy,
Bangarakkapalem Village, Oletivaripalem Post & Mandal.
Prakasam District.
12 Anumolu Malayadri, S/o. Chenchaiah,
Cherukuru Post, Konaluri Mandal.
Prakasam District.
13 Irapani Suryanarayana S/o. Narsimham,
Chundi Post, Oletivaripalem mandal.
Prakasam District.
14 Irapani China Ankaiah, S/o. ramaiah,

Chundi Post, Oletivaripalem Mandal.
Prakasam District.

15 Oleti Mala Kondaiah, S/o. China Subbaiah,
Oletivaripalem Mandal, Post. Prakasam District.
16 Pasupuleti Malayadri, S/o. Kondaiah,
Ammapalem Village & Post, Oletivaripalem Mandal.
Prakasam District.
17 Kasireddy Subba Reddy, S/o. Peda Nagireddy,
Ammapalem Post, Oletivaripalem Mandal.
Prakasam District.
18 Pandi Kondaiah, S/o. Chenchaiah,
Mundlamuri Varipalem, Cherukuri Post,
Konaluru Mandal. Prakasam District.
19 Nalamothu Ramaiah, S/o. Narasimhamam,
Cherukuru Post, Konaluri Mandal.
Prakasam District.
20 Kunku Narasimha Rao, S/o. Chenchaiah,
Cherukuru Post, Konaluru Mandal.
Prakasam District.
21 Gutha Punnamma, W/o. Venkateswarlu,
Oletivarlipalm Village, Post, Prakasam District.

..... PETITIONERS

AND

1 The Tobacco Board, Rep., by its Secretary,
Guntur District.
2 The Superintendent, Auction Plat Form No.27,
Tobacco Board, Kandukuru,
Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Mandamus directing the respondents to permit the petitioners to sell their tobacco on the 2nd respondent Auction platform by declaring the proceedings issued by the 1st respondent in Ref.No.1/12/95-96 PDN dt.13.10.1995 refusing to register the application of the petitioners for growing Tobacco and construction barren as illegal, arbitrary and violative of principles of natural justice and pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.M.SUBBA REDDY

Counsel for the Respondents: MR S. VENKAT REDDY

The Court made the following :

ORDER:

Learned counsel for the petitioners submits that the cause in this writ petition does not survive and has become infructuous.

Recording the said submission, the Writ Petition is dismissed as having become infructuous. No costs.

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(N.V. RAMANA, J)

Date: 08.11.2004

Nsr

To

1 The Secretary, Tobacco Board,
Guntur District.
2 The Superintendent, Auction Plat Form No.27,
Tobacco Board, Kandukuru,
Prakasam District.

3 Two CD copies.